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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,734	04/04/2001	Leonard H. Lopez JR.	1036.1256	3638

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EXAMINER
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ZURITA, JAMES H

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/825,734

Applicant(s)

LOPEZ, LEONARD H.

Examiner

James H Zurita

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-24 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 16-19 and 21 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☒ Claim(s) 15, 20 and 22-24 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Election/Restrictions*

At the onset, the Examiner notes that a typographical error in the Office Action of 25 October incorrectly identified claim 20 as belonging to species II.a. Species II.a includes claims 16-19 and 21. The Requirement is nevertheless deemed valid.

Applicant's election without traverse of Invention II, species II.a in the reply filed on 26 January 26 2005 is acknowledged.

### *Priority*

The present application is a Continuation-in-Part to a series of applications. The Examiner notes that the following material first appears in the instant application, filed 5 April 2001. Claims drawn to this material (e.g., claim 21) do not benefit from earlier filed applications.

Location	topic
Page 12, line 17-page 13, line 4	relational database structures, referential integrity, rules
Page 14, lines 5-13	profile changes, audit records, disputes
Page 14, line 19-page 15, line 2	preview functions
Page 15, line 5 – page 17, line 2	streamlined fulfillment, hierarchy levels, Gatekeeper, ordering limits
Page 17, lines 11-24	provision of status information, sorting by shipping address
Page 19, line 19-page 20, line 13	implementations [not] comprising a feature forcing a purchasing agent to view any new or changed user's profile, warnings, forced viewing.

### *Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

Therefore, the "profile maintenance interface" (claims 16, 19) and audit record (claim 21) must be shown or the feature(s) canceled from the claim(s).

No new matter should be entered.

Similarly,

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action.

The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 16, 17, 19 contain the term "...enabling..." This term is indefinite, in that it does not define how the acts are enabled.

Claim 21 ends with a semi-colon. Please refer to MPEP 608.02(m) for proper claim format.

Claim 16 refers to "...identifying a user profile, if one exists, that corresponds..." this renders the claims indefinite since the claim does not define what takes place if a profile does not exist.

Claim 18 refers to "...if not previously defined user profile for the user exists..." suffers from a similar problem.

### ***Claim Objections***

Claims 16-19 are objected to for various informalities:

The term "...user..." in claims 16-19 is ambiguous. The term appears to refer to members of both the first group and second group of institutional agents. For example, in claims 16-19, the term appears to refer to persons who belong to applicant's first group of institutional agents and who utilize a requestor interface. In claims 16 and 19, the term also appears to refer to persons who belong to applicant's second group of institutional agents and who utilize a profile maintenance interface. This is particularly

critical since applicant's invention appears to be directed to different levels of editorial control over content of printed products.

Claim 16 and 17 refer to "...the identified user..." and "...the user..." but the term lacks antecedent basis. Prior references include "...user profile..." and "...identifying a user profile..." but do not refer to an actual user.

The term "...template..." is ambiguous. The claims refer to "...format-specifying template(s)..." and to "...the template associated with..."

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claims 16-19*** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Laverty et al.* (US 6429947).

***As per claim 16***, Laverty discloses methods for automated institutional print order processing that provides different groups of institutional agents with different levels of editorial control over the content of printed products. See at least Fig. 13 and related text. Laverty discloses:

***Defining templates*** via product set up modules, templates (as in Col. 25, lines 3-24, Col. 29, line 66-Col. 30, line 26, applicant's format-specifying templates). The templates define typography and placement of a plurality of graphical and textual elements adapted to be populated with individual-indicative content supplied by user profiles (e.g., employee names, titles) and institution-indicative content supplied by

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institutional profiles (for example, see at least Fig. 6 and related text, catalogs, products, customization rules and forms), associated with user profiles (for example, Fig. 6 and related text, including employee information, titles, locations, departments, items 497). Lavery discloses that different types of users may perform different functions according to access controls and authorities. See, for example, at least Fig. 6, uses/roles, item 492.

**Multiple interfaces**, as in Col. 6, line 19-Col. 7, line 67, so that users may perform various functions according to their roles and access authorities. As is Inherent in human-computer interactions, institutional agents interact with the computer system via interfaces, including Internet accessible interfaces (for example, see at least Fig. 4 and references to the Internet).

applicant's **first group of institutional agents** and **internet accessible requestor interface**. Lavery discloses that human employee users (applicant's first group of institutional agents) select and order print products such as business cards from the computer system. See, for example, at least Fig. 13, item 906-912. See also Figs. 15-16 and related text. These functions are performed via Internet accessible interface (applicant's internet accessible requestor interface). Other aspects of this interface include:

- identifying an employee profile, if one exists, that corresponds with the identified employee. See, for example, Fig. 6 and related text, including employee information, titles, locations, departments, items 497);

- enabling the user to order a print product from said set of print products for which said format-specifying templates for said institution have been defined. See, for example, references to ordering a product, as in Fig. 13, item 91 “place order” and related text.
- generating a previewable representation of the ordered print product that populates the graphical and textual elements of the template associated with the ordered print product with individual-indicative content extracted from the requestor interface user's user profile and institution-indicative content extracted from an associated institutional profile. See, for example, at least Fig. 13, item 913, and related text, as well as Fig. 16 and related text.

applicant's ***second group of institutional agents*** and ***internet accessible profile maintenance interface***. Lavery discloses that human customer setup agents (applicant's second group of institutional agents) define and modify institutional profiles to provide institution-indicative content for the format-specifying templates. See, for example, at least Fig. 13, items 902-904. See also Fig. 14 and related text. These functions may be performed via an Internet accessible interface (applicant's internet accessible profile maintenance interface).

Lavery ***does not*** refer to various interfaces and actors by applicant's labels, such as “internet accessible profile maintenance interface” and “internet accessible requestor interface” “first institutional agent” “second institutional agent.”

However, the labels given to various actors and modules are not functionally related to the substrate of the article of manufacture. The labels themselves carry little

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or no patentable weight. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply a label to various actors and modules in a system such as *Laverty* because such data does not functionally relate to the substrate of the article of manufacture and merely labeling the data differently from that in the prior art would have been obvious. See *Gulack* cited above.

**As per claim 17**, Laverty discloses interfaces to permit a user to modify a user profile. See, for example, at least Col. 10, line 50-Col. 11, line 30, concerning changes to individual data via web site interface(s). See also Col. 21, lines 26-34.

**As per claim 18**, Laverty Laverty discloses that an interface may prompt a user for information. See, for example, at least references to prompts, at least Col. 10, line 50-Col. 11, line 30. See also references to menu prompts, at least 13, lines 35-52.

Laverty discloses defining user profiles, if no previously defined user profile for a user exists. See, for example, text element prompts, in Col. 21, lines 26-34. See also references to adding new employees and providing name and title for a new business card for a new employee, as in Col. 27 line 64-Col. 29, line 6.

Laverty discloses selecting a title from a list of changeable and selectable authorized personnel titles with which to identify users. See, for example, at least

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references to data that regularly changes, such as titles and employee data, as in Col. 14, lines 1-11.

However, Lavery does not specifically disclose that a particular interface may prompt a user for specific functions, such as

- to define a user profile, if no previously defined user profile for the user exists, and
- to select a title from a list of selectable authorized personnel titles with which to identify the user.

It is well known to restrict access to particular types of users according to roles. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to extend Lavery and disclose that particular interface(s), such as (applicant's requestor interface) may prompt a user for specific functions, such as

- to define a user profile, if no previously defined user profile for the user exists, and
- to select a title from a list of selectable authorized personnel titles with which to identify the user.

One of ordinary skill in the art at the time the invention was made would have been motivated to extend Lavery and disclose that particular interface(s), such as (applicant's requestor interface) may prompt a user for specific functions, such as

- to define a user profile, if no previously defined user profile for the user exists, and
- to select a title from a list of selectable authorized personnel titles with which to identify the user

for the obvious reason that it is important to restrict access to various procurement functions according to a person's role in a company.

**As per claim 19**, Lavery discloses that an interface enables a user to define the list of selectable authorized personnel titles provided to a requestor interface user. See, for example, references to titles, Fig. 6 and related text, such as Col. 14, lines 1-11.

**Claim 21 is** rejected under 35 U.S.C. 103(a) as being unpatentable over **Lavery et al.** (US 6429947) in view of Klatt et al. (US 6473760).

As per claim 21, Lavery **does not** specifically disclose maintaining an audit record identifying when any user profile was added or modified through the requestor interface, what information was added or modified to the user profile, and who specified the additions or modifications to the user profile. This feature is disclosed by Klatt. See, for example, at least Fig. 10 and related text.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Lavery and Klatt to disclose maintaining an audit record identifying when any user profile was added or modified through an interface (such as applicant's requestor interface), what information was added or modified to the user profile, and who specified the additions or modifications to the user profile.

One of ordinary skill in the art at the time the invention was made would have been motivated to combine Lavery and Klatt to disclose maintaining an audit record identifying when any user profile was added or modified through an interface, (such as applicant's requestor interface), what information was added or modified to the user profile, and who specified the additions or modifications to the user profile for the obvious reason that it is important to permit users to modify their information within their levels of access. For example, a single woman may wish to change her last name after marriage. Similarly, it may be important to track unauthorized access to employee files.

### ***Conclusion***

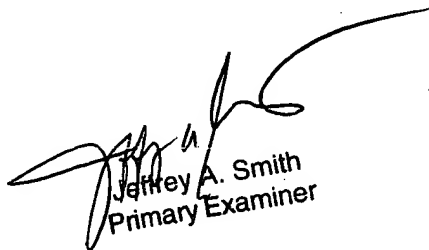
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Zurita whose telephone number is 703-605-4966. The examiner can normally be reached on 8a-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JZ  
**James Zurita**  
**Patent Examiner**  
**Art Unit 3625**  
30 March 2005

  
Jeffrey A. Smith  
Primary Examiner